

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Michael CONRAD et al.)	Group Art Unit: 2166
)	
Application No.: 10/721,869)	Examiner: Lin, Shew Fen
)	
Filed: November 26, 2003)	
)	Confirmation No.: 6085
For: DATA ELEMENT AND STRUCTURE)	
FOR DATA PROCESSING)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, SAP AG, duly organized under the laws of GERMANY and having its principal place of business at Dietmar-Hopp-Allee 16, Walldorf, Germany D-69160, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, U.S. Patent Application Serial No. 10/721,869, filed November 26, 2003, for DATA ELEMENT AND STRUCTURE FOR DATA PROCESSING in the names of Michael CONRAD and Dirk HENRICH, as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 015210, Frame 0203 on April 14, 2004.

Assignee, SAP AG, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/721,898, filed November

26, 2003, for COMPUTERIZED REPLICATION OF DATA OBJECTS in the names of Michael CONRAD and Dirk HENRICH, as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 015212, Frame 0848 on April 14, 2004.

Assignee, SAP AG, also represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application Serial No. 10/721,426, issued as U.S. Patent No. 7,225,302, filed November 26, 2003, for METHOD AND SOFTWARE APPLICATION FOR AVOIDING DATA LOSS in the names of Michael CONRAD and Dirk HENRICH, as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 015212, Frame 0832 on April 14, 2004.

To obviate the provisional obviousness-type double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of co-pending U.S. Patent Application Serial No. 10/721,898 and U.S. Patent Application Serial No. 10/721,426 issued as U.S. Patent No. 7,225,302. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and a prior patent based on the 10/721,898 application or 10/721,426 application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of

the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 7, 2008

By: 

Stephen E. Kabakoff
Reg. No. 51,276
(404) 653-6477